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U.S. DISTRICT COURT  
NORTHERN DIST. OF TX.  
FT WORTH DIVISION

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CLERK OF COURT

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

vs.

JORGE SALINAS (02)

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§  
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§

Case No. 4:04-CR-179-A

**Government's Motion for Reduction of Sentence**

To the Honorable John McBryde, Judge:

The United States of America, pursuant to the provisions of Fed. R. Crim. P., Rule 35(b), moves the Court to reduce the sentence imposed upon the defendant, Jorge Salinas, on April 21, 2005, and in support of the same would show:

1. The defendant Salinas has rendered substantial assistance to the government in the investigation and prosecution of others following the imposition of sentence in this case. The defendant was interviewed by Government agents both before and after his conviction. The defendant provided substantial incriminating information relating to other targets of the government investigation, which information was able to be corroborated both by statements of other witnesses and by documents seized or obtained by the government agents in the course of the investigation. The defendant was willing to testify against Francisco Flores, Jr., Moises Lopez, and John Barrett Grote in a case pending in the Dallas Division of this district - No. 3:05-CR-030-K. The government

believes that his willingness to do so was a contributing factor, though not the sole factor, in the decision of each of those defendants to enter pleas of guilty.

2. Both Francisco Flores, Jr. and John Barrett Grote agreed, as part of their plea agreements, to cooperate with the government and both testified for the government in the recent trial in No. 4:05-CR-195-A of Anthony Steven Aguilar, Jeffrey Ryan, and Jeffrey Alan Brevick.

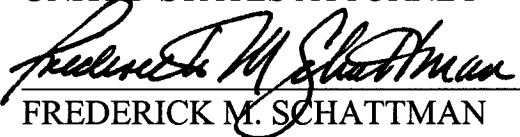
3. The defendant Salinas also testified for the government in the trial of Anthony Steven Aguilar in No. 4:05-CR-195-A, identifying Aguilar as a customer of Francisco Flores and William Chen Salee. This testimony corroborated that of Flores and Salee and was important, in the opinion of the United States Attorney in securing the conviction of Aguilar. Further, Salinas provided significant information concerning his prior dealings with John Thomas Lopez, who was the major source of supply for this drug trafficking organization. His information and willingness to testify, coupled with that of other co-offenders and corroborating evidence gathered in the Government's investigation was a motivating factor in the decision of Lopez to enter a plea of guilty in this case and cooperate with the Government's ongoing investigation.

4. The United States Attorney notes that the defendant has given notice of appeal from his conviction and sentence and that his case is still pending before the United States Court of Appeals for the Fifth Circuit. It therefore appears that this court does not have jurisdiction to rule on this motion at this time. The provisions of Rule 35(b)(2)

authorizing the filing of a motion to reduce sentence more than one year after the date of sentencing do not appear to apply to the facts of this case, and the United States has filed this motion in order to preserve the issue of whether the defendant's sentence should be reduced. The government anticipates that a motion will be filed with the Court of Appeals asking for a limited remand of the case to permit this Court to rule on this Motion.

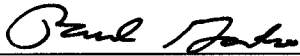
Respectfully submitted,

RICHARD B. ROPER  
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read "Frederick M. Schattman", is written over a horizontal line.

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APPROVED FOR FILING:

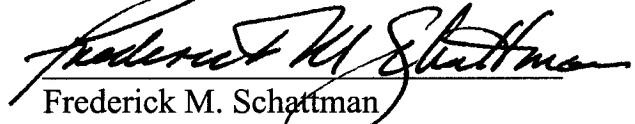
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Paul E. Gartner  
Assistant United States Attorney  
Deputy Criminal Chief - Fort Worth Division

**Certificate of Service**

I hereby certify that a true and correct copy of the above pleading was served upon the defendant or his counsel of record in accordance with the provisions of Rule 49 of the Federal Rules of Criminal Procedure.

DATE: April 21, 2006

  
Frederick M. Schattman  
Assistant United States Attorney